

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Special Meeting: December 16, 2019 at 5:00 PM

PRESENT:

Chairperson: Justin Vlietstra
Members: Jo Anne Shannon
Susan Lhota
Eli Bannister (absent)
Justin Leitgeb
David Marshall (alternate)

Recording Sec: Linda Habeeb

Motion: Chairperson Vlietstra made a motion, seconded by Member Shannon, to call the meeting to order at 5:00 pm.

Vote: Shannon – yes; Lhota – yes; Vlietstra – yes; Leitgeb – yes; Marshall – yes. *Motion carried.*

Conflict of Interest Disclosure: Board members had no conflicts of interest to declare.

Discussion: Member Vlietstra explained for the audience that the Town of Pittsford is developing a shared-use trail on 20 acres of undeveloped land located on the Erie Canal along with the re-assembly of a salvaged historic barn. The project area is comprised of several parcels and bound by the Auburn Trail at the north and the Erie Canalway Trail to the south. The project is funded by New York State Department of State under Title 11 of the Environmental Protection Fund. The proposed shared-use trail will provide connectivity between two high-use trail systems, provide a new recreational facility, and offer nature education and interpretive opportunities to the immediate neighbors and community at large.

Member Vlietstra stated that the barn is a historic building, with no intended use, but that it may be utilized in the future. The Building Inspector informed the Board that he determined that the barn is a 'Municipal Building' in the current zoning code, which is a permitted use. The definition of 'Municipal Building' is any building owned by a municipality. Member Vlietstra commented that if, in the future, the building is being used for some purpose, it will then need to comply with pertinent code requirements.

Chairperson Vlietstra stated that the Fire Marshal, Kelly Cline, submitted a memorandum with the following comments:

- ✓ The proposed project is for a park and preserve with a shared-use trail and a barn. The proposed trail is similar to existing trails in the Town and is suitable for emergency services' access. Additionally, it is to be noted that the Fire Department currently has the ability to access the Auburn Trail utilizing all-terrain vehicles and smaller pieces of apparatus, as well as sufficient access to the canal path from Monroe Avenue and the Village DPW garage. Access to the overall site has been determined to be more than sufficient.

- ✓ Under the New York State Fire Code, the barn will be classified miscellaneous group U, Buildings and structures of an accessory character and miscellaneous structures not classified in any specific group. Group U includes, but is not limited to, barns. Typically, a fire apparatus road shall extend to within 150' of all portions of a structure. Under the Uniform Code Supplement, the Fire Code Official is permitted to allow for an increase over the required 150'. The proposed location of the barn is over 150' from a fire apparatus road. After review of the possible hazards, the equipment, and capabilities of the local Fire Department, and that there are no other structures that would pose an exposure risk, it has been determined that proposed access to the barn is sufficient and acceptable.

Motion: Chairperson Vlietstra made a motion, seconded by Member Marshall, to open the public hearing at this time.

Vote: Shannon – yes; Lhota – yes; Vlietstra – yes; Marshall – yes. *Motion carried.*

Mike Bouley, Line Street: Asked the Board about the background of the historic barn.

Member Vlietstra explained that the proposal is to re-assemble the salvaged Snyder Barn formerly located on Calkins Road. The barn was originally constructed in 1850-1860. The applicant proposes to erect the existing structure on a 20-acre plot on the Erie Canal to serve as a centerpiece for the Erie Canal Park and Reserve. The building will undergo all necessary upgrades to meet current building codes while maintaining barn architecture elements from its origin. Member Leitgeb stated that they are planning access for utilities and will be building in space for a conduit to allow electrical and possibly water at some point. No utilities are being installed initially but may be added in the future if the building will be used. The barn will be built in phases as funds permit.

Mike Bouley, Line Street: Mentioned that graffiti is a problem on the canal bridges and stated concerns that vandalism could be a problem with the building.

Member Leitgeb questioned how the issue of vandalism of the building will be handled. Board members stated that the problem of vandalism will be an enforcement issue. The Town will maintain the property. The Board discussed whether lighting should be installed to deter vandalism. Member Lhota stated that the installation of a floodlight would accomplish illumination and improve the aesthetics. Member Vlietstra stated that there are no plans for utilities in this phase of the project. Solar-powered lighting may be a possibility. He stated that the Board reviews impacts on other properties and public safety and whether it is generally consistent with Village Code. Board members agreed that lighting would be beneficial to enhance aesthetics, deter loitering, improve visibility of the trail, improve safety or perceived safety, and deter vandalism. The Board will send a letter to the Town Board stating the concerns that they have regarding the project prior to their meeting tomorrow (Tuesday 12/17/2019).

Mike Bouley, Line Street: Suggested that exterior lighting on the building would help to deter graffiti.

Mr. Vlietstra stated that there was correspondence this week about zoning code compliance and those issues were being addressed. He read an email from the Building inspector:

“Justin, I have reviewed the proposed plans for the barn and canal trail based on the new code and based on that code the structure will be moved back five feet from the front lot line to accommodate the required 20ft setback, I have also reviewed and calculated that the structure in questions lower level based on the new zoning codes definition of a “cellar” meets the standard of a cellar and therefor is not a story and the building is a single story structure that meets the 25ft height requirement of the new zoning code for the OS district. I have talked with Sue Steele and we will be receiving updated plans to reflect the changes required”

The Board reviewed the draft site plan resolution template and discussed findings.

1. The Village Building Inspector has determined that the action does not create any zoning violations.
2. The project complies with the Village Comprehensive Plan. The comprehensive plan calls for this area to be open space and this proposal advances this goal. Relocating the salvaged barn to a canalside location where it can be seen by the public is consistent with historic preservation goals in the comprehensive plan.
3. Vehicular access, traffic, and circulation are adequate because the building is vacant. The Town fire marshal and Fire department stated emergency vehicles can access the building and trail.
4. Parking is adequate because the barn is a vacant unoccupied building that does not require parking. The trailhead has a parking area at the intersection of Village Ln and Grove St.
5. Pedestrian and bicycle access is adequate because this is a primary design feature of the proposal, and there is no vehicular traffic.
6. Drainage is adequately addressed because the amount of impermeable surface being added is low, and the DEC and Army Corps of Engineers are reviewing the plans. Correspondence from the DEC indicated no significant concerns.
7. Proposed and existing water and sanitary sewers are adequate because the building is vacant; water and sewers are not required.
8. Trash management - Not applicable because the building is vacant.
9. Lighting – Concerns: vandalism, safety, aesthetics. A letter will be sent to the Town suggesting they add lighting per previous discussion. This topic will be revisited when a response is received.
10. The site is adequately landscaped because the area is a woodland area which is attractive and consistent with the comprehensive plan.
Comment – request minimal removal of trees; suggest planting new trees in shoulder or adjacent to the trail as appropriate to encourage a tree canopy over the trail.
11. Adequate screening of parking areas, utilities, and structures is provided because the site will remain woodlands; the salvaged barn is being built for visibility and aesthetics, and therefore, there is no need to screen it from view from the Canal.
12. The site plans are compatible with adjacent uses and will not adversely impact adjacent properties because the area is a woodland area, the site is distant from adjacent properties, and there will be minimal traffic generated.
13. Proposed new signs are limited to informational kiosks and simple directional signs and present no concern regarding size, arrangement, and design.
14. A snow removal plan is not needed for the hiking trail or vacant building.
15. The Town Fire Marshal wrote a letter that was also reviewed by the Fire Department which stated accessibility by fire and emergency vehicles is adequate.

Local Waterfront Revitalization Program (LWRP)

The Board reviewed the draft site LWRP resolution template and discussed findings:

1. The park is consistent with the LWRP's desired land use goals for this area, as well as the Comprehensive Plan as previously discussed. Constructing the salvaged barn is consistent with historic preservation and community character. This project is intended for the benefit of the public.
2. There will be no new water dependent uses. There will be no impacts on water quality of the Canal.
3. The proposal does not impact agricultural lands within the LWRP area.
4. Marine resources and coastal waters are not adversely impacted by the proposal. No alteration of the Canal banks is proposed.
5. Ecological concerns are minimal. The proposal has been submitted to the DEC and Army Corps of Engineers and they have not raised any concerns. A geotechnical report from Foundation Design, P.C. reviewed the site and proposal and made recommendations. A landscape architect, Sue Steele, has designed the trail route to minimize impacts on wetlands and mature trees.
6. Water resources are not impacted by the proposal: canal waters are unaffected and ecological concerns were addressed as stated above.
7. Flooding and erosion are not of concern. No alterations of the canal bank are proposed.
8. Air quality is protected because the woods are being preserved.
9. The proposal will not generate solid waste and hazardous substances.
10. The proposal is providing public access and recreational use of coastal waters and public lands.
11. Visual quality and scenic resources are being enhanced because the woods is being preserved and a salvaged historic barn is being reconstructed along the canal.
12. Historic resources are being preserved by reconstructing a salvaged barn in a publicly accessible location. Its placement and orientation is designed to enhance viewsheds along the canal.
13. The State Environmental Quality Review Act (SEQRA) is being complied with. The Town of Pittsford Board is lead agency for the environmental review.
14. The Pittsford Environmental Guidebook and Greenprint for Pittsford's future is not applicable to this project.
15. The proposal does not involve dredging and will minimally impact soils.

The Board will continue the public hearing at a special meeting to be held on January 6, 2020 at 6:30 pm.

Member Items:

Minutes:

Motion: Member Vlietstra made a motion, seconded by Member Leitgeb, to approve the July 15, 2019 draft minutes.

Vote: Shannon – yes; Lhota – yes; Vlietstra – yes; Leitgeb – yes; Marshall – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Lhota, to approve the August 19, 2019 draft minutes.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Leitgeb, to approve the September 3, 2019 draft minutes.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Leitgeb, to approve the September 16, 2019 draft minutes.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Lhota, to approve the September 23, 2019 draft minutes, as amended.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Shannon, to approve the October 21, 2019 draft minutes.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – abstain. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Lhota, to approve the November 18, 2019 draft minutes.

Vote: Shannon – yes; **Lhota** – yes; **Vlietstra** – yes; **Leitgeb** – yes; **Marshall** – yes. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Lhota, to adjourn the meeting at 7:00 pm.

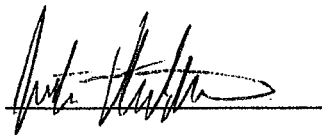
Linda Habeeb, Recording Secretary

**VILLAGE OF PITTSFORD
PLANNING BOARD**

To: Town of Pittsford
From: Village of Pittsford Planning Board
Re: Proposed Erie Canal Park
Date: 12/17/2019

The Village Planning Board has held several meetings to discuss the proposed Town park along the Erie Canal. I understand a SEQR review is scheduled for tonight's Town Board meeting. The Village Planning Board has no comments at this time on potential environmental impacts. We did want to report one matter for the Town's consideration.

We think that adding lighting for the barn would be beneficial both for the project and the Town. Since the barn is being reconstructed on the site for aesthetic purposes, lighting could enhance the visual appeal of the project. We believe that based on issues of defacement on nearby bridges (which have been discussed at Village board meetings in the last couple of years), graffiti or other forms of vandalism could be an issue at the barn. Lighting would offer a deterrent to vandalism, reducing liability and maintenance costs for the Town. Finally, we feel that loitering may be encouraged by the addition of a structure that is intended to be vacant in an unlit portion of the Erie Canal trail. The installation of lights would deter loitering and increase actual, or at least perceived safety in that part of the path for individuals walking in the evening.



Justin Vlietstra, Chair